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2/13/2003

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BROMBERG &amp; SUNSTEIN LLP

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GROUP 1600

703 308 4242

TO Box RCE  
Commissioner for Patents  
Washington, DC 20231

FAX

FROM Barbara J. Carter *Bjc*

PAGES

29 (INCLUDING THIS SHEET)

PHONE

DATE

February 13, 2003

RE Application of Bahramian and Zarbl  
Serial No. 09/472,558  
Filed: December 27, 1999  
For: Muting Gene Activity Using a Transgenic Nucleic Acid

OUR FILE

2498/101

YOUR FILE

Serial No.: 09/472,558

COMMENTS

Please see the attached.

02/25/2003 DJACORS 00000002 194972 09472558

PLEASE NOTIFY BROMBERG & SUNSTEIN LLP AT (617) 443-9292, IF THERE ARE ANY PROBLEMS WITH THIS TRANSMISSION.

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Practitioner's Docket No. 2498/101

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Mohammad B. Bahrarnian, Helmut Zarbl

Application No.: 09/472,558

Group No.: 1632

Filed: 12/27/99

Examiner: Paras, Jr., P.

For: Muting Gene Activity Using a Transgenic Nucleic Acid

BOX RCE

Commissioner for Patents

Washington, D.C. 20231

## CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that the following papers are being facsimile transmitted to the Patent and Trademark Office at (703) 308-4242 on the date shown below:

- 1) Request for Continued Examination; and
- 2) Amendment and Response to Accompany Request for Continued Examination

Barbara J. Carter

Date: February 13, 2003

  
Signature

Practitioner's Docket No. 2498/101

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Mohammad B. Bahramian, Helmut Zarbl

Application No.: 09/472,558

Group No.: 1632

Filed: December 27, 1999

Examiner: Paras, Jr., P.

For: Muting Gene Activity Using a Transgenic Nucleic Acid

BOX RCE

Commissioner for Patents

Washington, D.C. 20231

REQUEST FOR CONTINUED EXAMINATION (RCE)  
(37 C.F.R. § 1.114)

1. Applicant hereby requests continued examination, in accordance with 37 C.F.R. § 1.114, for the above identified application.

## TIME REQUEST IS BEING MADE

2. This request is being submitted:

- i. Prior to abandonment of the application

## ENCLOSURES

3. Enclosed herewith are:

An amendment

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**CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\***  
(When using Express Mail, the Express Mail label number is mandatory;  
Express Mail certification is optional.)

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I hereby certify that, on the date shown below, this correspondence is being:

## MAILING

- ☐ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, Washington D.C. 20231  
37 C.F.R. § 1.8(a)

- ☐ with sufficient postage as first class mail.

- ☐ as "Express Mail Post Office to Addressee"

Mailing Label No. \_\_\_\_\_ (mandatory)

## TRANSMISSION

- [x] facsimile transmitted to the Patent and Trademark Office, (703) 308-4242

Signature



Date: February 13, 2003

Barbara J. Carter

(type or print name of person certifying)

\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

New arguments

**FEE FOR REQUEST (37 C.F.R. § 1.17(e)).**

4. This application is on behalf of small entity (and status is still as small entity).

Continued Prosecution Request Fee: 375.00

**FEE FOR CLAIMS**

5. The fee for claims (37 C.F.R. § 1.16(b)-(d)) has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)	SMALL ENTITY			
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE		
TOTAL	23	-	56	= 0 x \$	9.00	= \$	0.00
INDEP.	6	-	7	= 0 x \$	42.00	= \$	0.00
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+ \$	140.00	= \$	0.00
				TOTAL ADDIT. FEE	\$		0.00

No additional fee for claims is required.

**EXTENSION OF TIME**

6. The proceedings herein are for a patent application, and the provisions of 37 C.F.R. § 1.136(a) apply.

Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a)(1)-(4), for three months:

Fee: \$465.00

If an additional extension of time is required, please consider this a petition therefor.

An extension for one month(s) has already been secured, and the fee paid therefor of \$55.00 is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request: \$410.00

**TOTAL FEE(S) DUE**

7. The total fee(s) due is/are:

Continued Prosecution Fee (Section 1.17(e))	\$375.00
Fee(s) for additional claims (Section 1.16(b)-(d))	\$0.00
Extension of time fee (Section 1.17(a)(1)-(4))	\$410.00
Total Fee(s) Due:	\$785.00

**PAYMENT OF FEE(S) DUE**

8. Please pay the fee(s) for this continued examination application as follows:

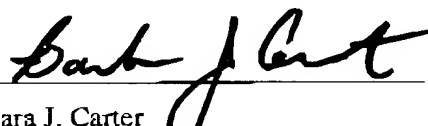
Charge Account 19-4972 the sum of \$785.00.

Please charge any required additional fee(s) for § 1.17(e), § 1.16(b)-(d) and/or § 1.17(a)(1)-(4) to Account 19-4972.

**INVENTORSHIP**

9. This application as amended names as inventors the same inventors as previously designated for the claims.

Date: February 13, 2003

  
Barbara J. Carter  
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